

REMARKS

The Examiner rejected claim 17 for having certain language that was not described in the specification. In particular, the Examiner objected to the language “creating multiple backup jobs until all backup data is assigned to a backup job”.

After a telephone interview on February 20, 2008 in which the Examiner pointed out the reasons for the claim language being rejected, the applicant now more clearly understands the rejection and has amended the claim to more specifically described what is disclosed in the instant application. The claim now states “creating a back up job for each section”, which is supported by the specification at page 9, line 21 to page 10, line 4 and Fig. 6.

New claim 34 contains all the elements of old claim 17 rewritten into independent form by combining it with the language of old independent claim 15. New claim 34 has all the elements of both claims, with the previously objected to language changed to that which, as shown above, is more clearly supported by the specification. Therefore the applicant believes claim 34 to be allowable.

The Examiner rejected claims 15, 16, 18, 21 and 22 as being obvious over Pelanek in view of Murray et al., Koritzinsky, Kahle and Laney et al.

The Examiner stated that Pelanek adds medical data to a job. As noted in Pelanek this is done manually on a computer keyboard as shown at column 3, lines 54-59. In the prior Office Action the Examiner noted that the feature of automatically obtaining and printing patient identification information and study information though not found in Pelanek was not recited in the claims. Claim 15 has been amended to show that the medical data is received through a software module and parsed to obtain patient identification information and study information.

It is believed that parsing patient identification information and study information from the medical data received is a patentable improvement since none of the cited references teach or describe this feature as now claimed. The labor saving advantages of being able to automatically extract and print the data is a major improvement over the prior art. The specification at page 6, line 9 to page 10, line 4 teaches how the data is automatically extracted by parsing the received data and later used in printing. The prior art was not able to do any of this. Therefore amended claim 15 and its dependent claims are believed to be allowable. Further new independent claim 33 is also believed to be allowable as it too parses the received medical data for patient identification information and study information.

In a telephone interview with the Examiner on April 29, 2008, the Examiner indicated that in general more detailed claims help make the claims allowable. The applicant has amended claims 15 and 33 to describe parsing patient identification information and study information from received medical data and later labeling a disc with that parsed information. Support for the new claim language is found in the paragraph on page 7 beginning on line 24 and in the paragraph on page 8 beginning on line 30. By performing the process described in claims 15 and 33, chances for human errors are eliminated while production of discs with labels is sped up, because no user input of patient information is required and a disc containing patient medical data also is automatically labeled with patient data.

Claim 33 further shows that the medical data is not split onto different discs, which is important for viewing patient data. The software parses the data so that medical data not broken up onto different disks.

Dependent claims 23-32 have been added to more fully identify and claim features of the present invention as described in the instant application. Many of these features were formerly found in independent claims 15 and 17 as well as some of the originally filed claims. All of them are well supported by the specification as found on pages 4 through 10.

No new matter has been added by any of the foregoing claim amendments.

The Examiner's Interview Summary for the telephone interview of February 20, 2008 has been reviewed by the applicant and found to be substantially correct. No revisions of the telephone interview summary are being made.

On the basis of the foregoing, Applicant respectfully submits that the rejection of the claims has been overcome and as such claims 15-18 and 23-34 are now believed to be in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.